

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

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FEB 26 2018

CLAUDE TATE GEORGE

Petitioner,

v.

UNITED STATES OF AMERICA

Respondents

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Chambers of
Anne E. Thompson, U.S.D.J.

Civil Action
No. 17-2641 (AET)

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FEB 26 2018

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AT 8:30 ^M
WILLIAM T. WALSH
CLERK

**MOTION UNDER RULE 1003, ADMISSIBILITY OF DUPLICATES
OF EVIDENCE BY PETITIONER**

NOW BEFORE THE COURT, C. Tate George, pro se Petitioner, requesting permission to submit 17 original binders of exculpatory and impeaching evidence left out of trial, along with the certified, court-ordered forensic report, both previously a part of the record, for the Court's convenience and review that supports Petitioner's 2255 habeas corpus submission before the court.

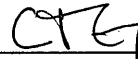
Rule 1003 states a duplicate is admissible by the Court to the same extent as the original unless a genuine question is raised about the original's authenticity or the circumstances make it unfair to admit the duplicate. Without question, there is no genuine issue that exists as to authenticity and no other reason exists for requiring the original, which means these documents are admissible under the rule. This position finds support in the decisions, *Myrick v. United States*, 332, F. 2d 279 (5th Cir 1964) and *Johns v. United States* 323, F. 2d 421 (5th Cir 1963).

Also, under Rule 1 of the Federal Rules and Procedures, "scope and purpose," these rules govern the procedure in all civil actions and proceedings in the United States district courts, except in Rule 81. They should be constructed, administered, and employed by the Court and the parties of every action and proceeding. Petitioner hopes these original documents assist the Court in its efforts to review in full context the Petitioner's overwhelming evidence of innocence, while moving toward a just, speedy, and inexpensive determination by the Court.

Petitioner prayerfully seeks permission by the Court under Rule 1003 to accept both the original previously submitted 17 binders of evidence left out of the trial by former defense counsel David Schafer and the Court ordered forensic accounting report per this motion request of admissibility of these duplicates.

Dated: 2/20/18

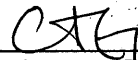
Respectfully submitted,



Claude Tate George, pro se
FED. NO. 63223-050
FCI Allenwood - Low
P.O. Box 1000
White Deer, PA, 17887

AFFIDAVIT

I HEREBY CERTIFY that the foregoing facts are true and correct to the best of my knowledge and belief upon pain of perjury as per 28 U.S.C. Section 1746.



Claude Tate George

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing response and request for Status Report was mailed on this 20th day of February 2018, by first-class mail, postage pre-paid to the following:

William E. Fitzpatrick
Acting United States Attorney
970 Broad Street
Newark, NJ 07102

V. Steiner
2414 28th St BSN
Astoria, NY 11102

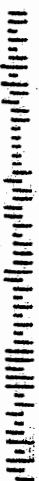
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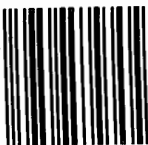
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